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Book Criticizes Effort to Protect Satellite

Bell Attacks Pentagon in Spy Case

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Former attorney general Griffin B. Bell charges in a new book that Pentagon lawyers were so intent on protecting a sensitive satellite system at the 1978 spy trial of former CIA employee William Kampiles that they proposed that Justice Department prosecutors lie in court to prevent disclosures.

"The Pentagon approach showed no respect for the integrity of our criminal justice system," Bell writes in "Taking Care of the Law," to be published later this year. The Defense Department lawyers suggested four "theories" that could be used to deny that the satellite secrets Kampiles gave the Soviet Union were ever operational, said Bell, who was Jimmy Carter's first attorney general.

Bell called the theories "falsehoods" and added: "All of the proposals would have required making material misrepresentations to the court" in violation of the perjury laws and lawyers' code of conduct.

Justice rejected the overtures and managed to convict Kampiles of passing the Soviets a secret manual describing the workings of the KH11 spy satellite without further compromising the system. Kampiles is serving a 40-year prison sentence.

The KH11 has been described as capable of producing legible photos of billboards from hundreds of miles in space, and of tricking the Soviets by transmitting its pictures up to another satellite, rather than down to earth as expected. Kampiles' theft of the manual revealed

the satellite's inner workings to the Soviets. "If there were two secrets in the country, that was one of them," one former intelligence official said.

Bell didn't name the Pentagon attorneys who took part in the debate on the Kampiles case. But Deanne C. Siemer, who was the Pentagon's general counsel at the time, and Brent Rushforth, her deputy for intelligence matters, denied in telephone interviews that they had suggested that Justice prosecutors lie to protect the KH11.

Rushforth said he participated in several "heated, animated discussions" with Justice lawyers about how to proceed with the case, but, he added, "I certainly never told them to make any misrepresentations to the court."

Siemer said, "I'm sorry to see the charges. There is absolutely nothing I know of to substantiate them."

Bell disclosed the internal feud over the Kampiles case as one of several illustrations of the traditional clash between the nation's intelligence community and its prosecuting arm in trying spies.

He noted that many potential prosecutions have been dropped because of intelligence agency fears about disclosing "sources and methods" at a public trial. But he changed the prevailing policy and recalled telling John L. Martin, one of his internal security prosecutors, "As attorney general, I always wanted to catch me a spy."

Bell also reveals in the book that the CIA was so distrustful of a special new court for approving intelligence wiretaps that Director Stansfield Turner asked U.S. Supreme Court Chief Justice War-

ren Burger to approve lie detector tests for its judges. "Fortunately the chief justice agreed with me that the Foreign Intelligence Court would lose all credibility if it subjected itself to being declared infirm by those whose requests for wiretapping and bugging it was judging," Bell wrote.

In the book, which Bell wrote with Los Angeles Times reporter Ronald J. Ostrow, the former attorney general noted that the 13 persons charged with spying in the United States between 1975 and 1980 "were only a small percentage of the number of espionage agents questioned by the FBI during that period. Some fled the country, others were declared persona non grata and sent home, while still others became double agents."

Terrence B. Adamson, a special assistant to Bell at Justice, said the book was cleared by the intelligence community, which requested a few changes on national security grounds.

In another part of the book, Bell said that Carter made a "crucial error" by letting Vice President Mondale move into the White House because Mondale and his aides formed a competing power center.

Bell also said Mondale "attempted to exert his influence and that of the White House staff on the independent Justice Department in a ticklish church-state matter, in two civil rights cases and in writing a charter of dos and don'ts for the Federal Bureau of Investigation."

Bell said he almost resigned when Carter, on Mondale's recommendation, overruled his legal opinion that strict limits should be set on using job training funds in church schools.